

Order

Entered: September 9, 2003

Michigan Supreme Court
Lansing, Michigan

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

ADM File No. 2001-17

Amendment of Rule 2.107
of the Michigan Court Rules

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, Rule 2.107 of the Michigan Court Rules is amended, effective January 1, 2004.

[The present language is amended as indicated below by underlining
for additions and strikeover for deletions.]

Rule 2.107 Service and Filing of Pleadings and Other Papers

(A)-(F) [Unchanged.]

(G) Filing With Court Defined. The filing of pleadings and other papers with the court as required by these rules must be with the ~~court~~ clerk of the court, except that the judge to whom the case is assigned may ~~permit~~ accept papers for filing when circumstances warrant. A judge who does so to be filed with him or her in which event the judge shall note the filing date on the papers and forthwith transmit them forthwith to the office of the court clerk. It is the responsibility of the party who presented the papers to confirm that they have been filed with the clerk.

Staff Comment: The September 9, 2003 amendment of MCR 2.107(G), effective January 1, 2004, continues to give judges the discretion to accept papers for filing when circumstances warrant, but requires the party who presented the papers to confirm that they have been properly filed with the clerk of the court.

The staff comment is published only for the benefit of the bench and bar and is not an authoritative construction by the Court.



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 9, 2003 Corbin R. Davis

Clerk